United Nations E/2002/10

Economic and Social Council

Distr.: General
1 March 2002
English
Original: English/Spanish

Resumed organizational session of 2002
29 April 2002
Agenda item 2
Adoption of the agenda and other organizational matters

Report of the Committee on Non-Governmental Organizations on its resumed 2001 session (New York, 14-25 January 2002)

Summary

At its resumed 2001 session, held from 14 to 25 January 2002, the Committee on Non-Governmental Organizations had before it 150 applications from non-governmental organizations, for consultative status, including applications deferred from its 1998, 1999 and 2000 sessions and its 2001 regular session. Of those 150 NGOs, the Committee recommended 56 for consultative status; did not recommend one; deferred 92 for further consideration at a later date; and closed consideration of the application of one NGO. The Committee considered 14 requests from NGOs for reclassification of consultative status, in response to which it recommended six organizations for reclassification, deferred consideration of the reclassification of six organizations and recommended that one organization remain in the same category.

The Committee heard an unprecedented number of representatives of non-governmental organizations, who were given the opportunity to respond to questions raised by the Committee. The additional information provided by the representatives facilitated the debate and the work of the Committee in taking its decisions.

The present report contains two draft decisions on matters calling for action by the Economic and Social Council. By draft decision I, the Council would:

(a) Grant consultative status to 56 NGOs which have applied;

(b) Reclassify three NGOs from special to general consultative status and three from the Roster to special consultative status;

(c) Not reclassify one organization from the Roster to general consultative status;

(d) Not grant consultative status to one NGO;

02-27320 (E) 280302 030402

(e) Take note that the Committee decided to close consideration of the application of one NGO;

(f) Take note that one case of complaint submitted by a member State has been closed.

By draft decision II, the Council would take note of the present report and decide that the 2002 session of the Committee should be held from 13 to 24 and on 29 and 30 May 2002.

Contents

		Paragraphs	Page
I.	Matters calling for action by the Economic and Social Council	1	5
	Draft decision I. Applications for consultative status and requests for reclassification received from non-governmental organizations		
	Draft decision II. Report of the Committee on Non-Governmental Organizations on its 2001 resumed session		
II.	Applications for consultative status and requests for reclassification received from non-governmental organizations	2–49	6
	A. Applications for consultative status and requests for reclassification deferred from previous sessions of the Committee as well as from its 2001 regular session	4–42	6
	1. Applications	4–37	6
	2. Requests for reclassification	38-42	13
	B. New applications for consultative status and new requests for reclassification	43–49	13
	1. New applications	44–47	13
	2. New requests for reclassification	48–49	15
III.	Review of the methods of work of the Committee: implementation of Council resolution 1996/31, including the process of accreditation of representatives of non-governmental organizations, and Council decision 1995/304	50–74	15
	A. Process of accreditation of representatives of non-governmental organizations	50–64	15
	1. Revision of the application form for consultative status	51–53	15
	2. Accreditation of representatives of non-governmental organizations to the Commission on Human Rights	54–57	16
	3. Cooperation of the Committee on Non-Governmental Organizations with the Commission on Human Rights	58–64	16
	B. Consideration of organizations whose defining characteristics are not in strict conformity with the provisions of Council resolution 1996/31	65–69	17
	C. Strengthening of the Non-Governmental Organizations Section of the United Nations Secretariat	70–74	18
IV.	Review of quadrennial reports submitted by non-governmental organizations in general and special consultative status with the Council	75–80	19
V.	Consideration of special reports	81–95	21
	A. Consideration of special reports	82–94	21
	B. Complaints submitted by States	95	24
VI.	Implementation of Council resolution 1995/32	96–97	25

VII.	Organization of the work of the session	98–105	25
	A. Opening and duration of the session	98	25
	B. Attendance	99–101	25
	C. Election of officers	102	25
	D. Agenda	103–104	25
	E. Documentation	105	26
VIII.	Adoption of the report of the Committee on its 2001 resumed session	106	26
Annex			
	List of documents before the Committee at its resumed 2001 session		27

I. Matters calling for action by the Economic and Social Council

1. The Committee on Non-Governmental Organizations recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I
Applications for consultative status and requests for reclassification received from non-governmental organizations

The Economic and Social Council decides:

(a) To grant the following non-governmental organizations consultative status:

General consultative status

Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations

Oxfam International

Special consultative status

A Centre for the World Religions

Action aide aux familles démunies

Advisory Committee for the Protection of the Sea

Africa Legal Aid

Argentina Association of International Law

Asian Institute of Transport Development

Asian Migrant Center

Association d'assistance aux grands handicapés à domicile

Association guinéenne pour la réinsertion des toxicomanes

Association marocaine d'appui a la promotion de la petite entreprise

Association marocaine de solidarité et de développement

Association marocaine de soutien et d'aide aux handicapés mentaux

Association of Former United Nations Industrial Development Experts

Association marocaine pour la promotion de la femme rurale

Center for Policy Alternatives

Coordination des ONG féminines gabonaises

Corporation for the Development of Women La Morada

Delta Sigma Theta Sorority

Dominicans for Justice and Peace — Order of Preachers

Exchange and Cooperation Centre for Latin America

Families of Victims of Involuntary Disappearance

Family Research Council

Guild of Service

Human Resource Development Foundation

Indonesian Child Welfare Foundation

International Communities for the Renewal of the Earth

International Energy Foundation

International Federation of Training and Development Organizations

International Planned Parenthood Federation (African Region)

International Society of Doctors for the Environment

Intersos Humanitarian Aid Organization

Isis Women's International Cross Cultural Exchange

Leadership for Environment and Development

Marmara Group Strategic and Social Research Foundation

National Assembly of Youth Organizations of the Republic of Azerbaijan

National Center for Missing and Exploited Children

National Congress of American Indians

National Rehabilitation and Development Centre

Native American Rights Fund

Network Earth Village

Network of East-West Women

Observatoire national des droits de l'enfant

Peace Boat

Population Reference Bureau

United States Committee for the United Nations Population Fund

Women's Political Watch

Roster

American Mothers

Association nigérienne des scouts de l'environnement

Charitable Public Fund "Poligon — 29 August"

Pioneer People Trust

Public Service Association

Soap and Detergent Association

Väestöliitto — Family Federation of Finland

World Forum on the Future of Sport Shooting Activities

(b) To reclassify three non-governmental organizations from special to general consultative status and three non-governmental organizations from the Roster to special consultative status, as follows:

General consultative status

Friends World Committee for Consultation

Union nationale de la femme tunisienne

World Information Transfer

Special consultative status

European Union of Women

Foundation for Democracy in Africa

International PEN

(c) Not to reclassify the Armenian Relief Society from the Roster to general consultative status;

(d) Not to grant consultative status to the International Lesbian and Gay Association;

(e) To note that the Committee on Non-Governmental Organizations has decided to close consideration of the file of the Education and Literacy Fund for Africa;

(f) To also note that the Committee has closed the case of one complaint submitted by one State against the International Association for Democratic Lawyers.

Draft decision II
Report of the Committee on Non-Governmental Organizations on its 2001 resumed session

The Economic and Social Council takes note of the report of the Committee on Non-Governmental Organizations on its 2001 resumed session and decides that the 2002 session of the Committee on Non-Governmental Organizations should be held from 13 to 24 and on 29 and 30 May 2002.

II. Applications for consultative status and requests for reclassification received from non-governmental organizations

2. The Committee considered item 3 of its agenda at its 31st to 36th, 38th and 40th to 50th meetings, from 14 to 18 and from 21 to 25 January 2002.

3. It had before it memoranda by the Secretary-General containing new applications for consultative status received from non-governmental organizations (E/C.2/2001/R.2/Add.6 to 11); new requests for reclassification (E/C.2/2002/R.3); a compilation of applications for consultative status deferred from previous sessions (E/C.2/2001/CRP.5); and requests for reclassification deferred from previous sessions (E/C.2/2001/CRP.7).

A. Applications for consultative status and requests for reclassification deferred from previous sessions of the Committee as well as from its 2001 regular session

1. Applications for consultative status

4. The Committee considered item 3 (a) at its 33rd to 36th, 38th, 40th and 44th to 49th meetings, on 15 to

18 and 21 to 25 January 2002. The following NGOs whose applications were deferred from previous sessions were granted consultative status (see sect. I, draft decision I, subparagraph (a)):

A Centre for the World Religions

Argentina Association of International Law

Center for Policy Alternatives

Dominicans for Justice and Peace — Order of Preachers

Families of Victims of Involuntary Disappearance

Family Research Council

International Communities for the Renewal of the Earth

International Energy Foundation

International Planned Parenthood Federation, (African Region)

International Society of Doctors for the Environment

Leadership for Environment and Development

Marmara Group Strategic and Social Research Foundation

National Center for Missing and Exploited Children

Network Earth Village

Network of East-West Women

Pioneer People Trust

Population Reference Bureau

Väestöliitto — Family Federation of Finland

World Forum on the Future of Sport Shooting Activities

International Planned Parenthood Federation (Africa Region)

5. At its 49th meeting on 25 January, the Committee reviewed the application of the NGO.

6. Some members questioned the appropriateness of granting consultative status to an NGO whose parent organization already had such status, suggesting that no decision should be taken until the question had been examined and resolved by the Working Group. However, other delegations noted that a precedent had already been established when the Committee recommended consultative status for the International Planned Parenthood Federation (South Asia Region). Moreover, another delegation pointed out that historically there was a precedent for granting consultative status to both a parent organization and its affiliated or regional organizations, beginning with the World Federation of United Nations Associations, which was granted consultative status in 1947, after which eight national United Nations associations had been granted consultative status. The same delegation explained that previously the Committee had evaluated each NGO on a case-by-case basis, according to two fundamental criteria: that they had their own budget and that they had their own programme of activities distinct from that of the parent organization. On the basis of those two criteria and the provisions made in paragraph 8 of Council resolution 1996/31 and after satisfying itself on several substantive issues specific to the NGO itself, the Committee decided to recommend it for special status. However, a number of delegations expressed unease about the fact that not enough time was allowed for delegations to hear from it on many substantive issues.

Pioneer People Trust

7. At its 34th meeting, on 15 January, the Committee recommended the NGO be placed on the Roster following a debate on whether or not its primary objective was to assist individuals that were Christians to the exclusion of others. The representative of the NGO explained that, even though it was inspired by the Christian beliefs of its members, it drew no distinctions in assisting people from different religions, and had developed projects and assisted populations from different faiths in various parts of the world. However, a number of delegations expressed unease about evangelization, which the NGO had indicated was one of its aims on its initial application form.

International Commission on Distance Education

8. At its 2000 and 2001 regular sessions, the Committee had deferred consideration of the NGO's application in response to a number of concerns expressed by members of the Committee, including the unauthorized use of the United Nations logo by the organization and the organization's association with the

Lama Gangchen World Peace Foundation. At its 33rd meeting, on 15 January, the Committee considered the response provided by the NGO to the questions posed by it and found them unsatisfactory. One member questioned the NGO's relationship with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and wondered whether or not the organization had consultative status with UNESCO. Other members of the Committee expressed a need for further clarification of the information provided by the NGO to Committee members. The Committee decided to defer consideration of the NGO's application pending the response to its questions.

Federation of Ijaw Communities

9. At its 2001 regular session, the Committee had deferred consideration of the application owing to time constraints. At its 34th meeting, on 15 January, the Committee considered the application of the NGO. A number of members of the Committee requested clarification of the statement made by the NGO stating that it represented 3,500 people in the United Kingdom and 12 million in the Niger delta of Nigeria. They wanted to find out how such a programme could be carried out. A member of the Committee also underlined the trend to microethnicity that the NGO seemed to represent. The Committee decided to defer consideration of the NGO's application pending its response to questions posed by the Committee.

International Society for Human Rights

10. At its resumed 2000 session, the Committee had decided to defer the application of the NGO pending its response to questions posed by the Committee. A number of delegations objected that their countries were listed and ranked on the NGO's web site as countries persecuting individuals on the basis of their religion. At its 40th meeting, on 18 January, the Committee reviewed the NGO's application. A number of delegations again expressed reservations about the activities of the organization. One delegation expressed its increasing concern after having seen the information displayed on the organization's web site. It was decided that the Committee would send its questions to the NGO's representative who would answer in writing. The Committee deferred consideration of the NGO's application.

Felege Guihon International

11. Owing to time constraint, the Committee did not review at its 2000 resumed session and 2001 session of the Committee the application of the NGO, which supports development projects in the Nile and other African river regions. At its 44th meeting, on 22 January, the Committee decided to hear the NGO's representative, with the understanding that a number of members of the Committee would require written answers to their concerns regarding the NGO's activities. Responding to questions by members of the Committee, the NGO's representative informed the Committee that the project it had with the United Nations Development Programme (UNDP) consisted of a programme to combat poverty. He also described in detail a food-distribution project in drought-stricken regions, where food assistance provided by Western countries did not meet local needs, and described another project on an organic waste management system based on processing by micro-organisms. The Committee decided to defer the NGO's application pending the response to its questions.

International Lesbian and Gay Association

12. At its 2001 regular session, the Committee considered the application of the NGO, an international organization previously on the Roster. In 1994, one year after the NGO was granted consultative status, the Council had suspended the NGO from the Roster in its resolution 1994/50, based on concerns raised about member organizations or subsidiaries of the NGO that promoted or condoned paedophilia. At its 1998 session, the Committee received a letter from the NGO requesting reinstatement of its status. The Committee deferred the matter to its resumed 1998 session. At its 2000 session, the Committee decided to ask the NGO to submit a new application for consultative status which the Committee would examine at a future session.

13. At its 2001 session, having reviewed the application of the NGO, a number of delegations raised questions on its registration status. Other delegations requested the NGO to explain to the Committee how it could guarantee that its members did not promote paedophilia. Other questions were posed asking how it screened its member organizations and subsidiaries to ensure that they did not promote paedophilia. The NGO was requested to provide the list of member organizations it had expelled. Other questions referred

to the nature of the affiliation of government organizations to the NGO and whether some of its member organizations had already been granted consultative status with the Council.

14. At the same session, the Committee objected to the NGO's representation by a lawyer. Also in response to its claim of being a signatory to the Convention on the Rights of the Child, a number of representatives underlined that a non-governmental organization could not ratify or sign an international covenant or treaty. One delegation noted that the issue of homosexuality was a divisive one in his country, where examples of discrimination or violence had occurred because of an individual's sexual orientation. In that regard, he believed that the NGO could be considered as a human rights NGO, committed to addressing the plight of others.

15. The Committee considered the NGO's application at its 44th, 45th and 46th meetings, on 22 and 23 January. The delegation of Pakistan recalled that the NGO had lost its consultative status just one year after getting it on the charges of its members' involvement in paedophilia. He was of the view that its subsequent attempts to have its members sign a declaration condemning paedophilia had failed because more than half of its individual members and organization had refused to comply. He asserted that the organization has not completely disassociated itself from paedophilia.

16. Several members of the Committee and observers posed questions about whether or not the NGO's General Conference had called for the abolishing of the age of consent as far back as in 1986, and about the nature of its relations with its founding members, North American Man Boy Love Association. Questions were also asked on the nature of the NGO, whether or not its members explicitly condemned paedophilia, its view on sexual orientation and on age of consent laws, as well as its views on juvenile sexuality and relations between adults and children even by consent. One delegation asked about the NGO's view on the concept of sexual self-determination and the meaning of the discrimination based on sexual orientation. Some questions were posed on its activities in the field of health care. Some delegations posed questions about its contribution in the field of HIV/AIDS in Europe and its status with the Council of Europe.

17. Some delegations asked the representative if the NGO's General Conference was ready to adopt a public resolution condemning any form of sexual relations between an adult and a child, whether or not by consent. Another delegation sought clarification about how the Pink Triangle Press, a leading gay publishing house and an affiliate of the NGO, which had left the NGO in its disagreement about the requirement of signing the declaration against paedophilia, had been allowed to rejoin the NGO without signing the declaration. He also wanted to know how it could distance itself from paedophilia while it continued demanding that the age of consent for homosexuals must be lowered. One delegation wanted to know what the NGO considered child abuse and how it defined child abuse and paedophilia. Another delegation sought clarification regarding several different positions on paedophilia adopted by the NGO at its past General Conferences. He wanted to know whether it had officially revoked any or all of those positions. Another delegate questioned how the NGO's claim could be accepted that in its entire period of existence it had never promoted paedophilia, when it had allowed several groups promoting or condoning paedophilia to remain affiliated with it for more than a decade, while fully aware of their principles and orientation.

18. The representative of the NGO underlined that it took a strong position against paedophilia, which she considered a criminal act. She also stated that it had given powers to its Executive Board to suspend the membership of those who promoted paedophilia. Those individuals or groups who did not sign the declaration could no longer be considered its members. The NGO recognized the age of consent as 18, as required by the Convention on the Rights of the Child. Its activities focused on fighting discrimination on the basis of sexual orientation. The representative stressed the importance of its action in connection with the special sessions of the General Assembly concerning women and on HIV/AIDS.

19. Several delegates were of the opinion that many key questions had been ignored by the representative of the NGO, while responses to other questions lacked clarity and accuracy. Questions considered to have been left unanswered included its position on the age of consent law, definition of child abuse, and the request for indication of the approximate number of members who had signed the declaration condemning paedophilia and how many had declined. They were

particularly dissatisfied with the representative's response to the question regarding the reaffiliation of the Pink Triangle Press. Some members were not convinced that the NGO has been able to establish beyond doubt its disassociation with people and groups condoning and encouraging sexual relations between adults and children.

20. Some members of the Committee, however, said that they were satisfied with the responses provided by the NGO. They acknowledged its work in combating discrimination because of sexual orientation. They were of the view that homosexuality and paedophilia were not linked. They recalled that the NGO had received consultative status with the Council of Europe, which meant it carried out valuable activities. They also acknowledged the work of the organization, particularly in the field of combating HIV/AIDS.

21. The representative of the Sudan reminded the Committee that the consultative status of the NGO was revoked in 1994 because of compelling evidence which had indicated without doubt the links that existed between it and organizations and people who supported paedophilia. She said that now that the NGO was seeking readmission, it was logically incumbent upon it to provide the Committee with conclusive evidence of its definite disassociation from paedophilia and those supporting it, and that the burden of proof indeed weighed on the NGO. She said that the Committee had devoted two days to the NGO and it had been given ample time and opportunity to present its case.

22. At the 45th meeting, on 23 January, the representative of the Sudan proposed that the Committee not recommend consultative status to the NGO by consensus. The delegation of Germany proposed to continue the discussion on the NGO, requesting additional documentation.

23. The Chairman ruled that the proposal made by the Sudan should first be put to a vote. After a procedural debate followed by the Chairman's informal consultations with delegations and the relevant departments of the Secretariat, the meeting was adjourned.

24. At the 46th meeting, on 23 January, following the Chairman's ruling to proceed to a vote on the proposal put forward by the representative of the Sudan, the representative of the United States of America appealed against the ruling and explained that the challenge of the Chairman's ruling was made in order to correct perceived errors in procedure.

25. The motion of appeal against the ruling of the Chairman was rejected by a roll-call vote of 7 in favour, 11 against with 1 abstention. The voting was as follows:

In favour:

Bolivia, Chile, Colombia, France, Germany, Romania, United States of America.

Against:

Algeria, China, Cuba, Ethiopia, India, Lebanon, Pakistan, Russian Federation, Sudan, Tunisia, Turkey.

Abstaining:

Senegal.

26. The Chairman then proceeded to a vote on the proposal made by the delegation of the Sudan not to recommend consultative status to the NGO.

27. The Committee adopted the proposal by a recorded roll-call vote of 8 in favour and 6 against, with 5 abstentions (see sect. I, draft decision 1, subparagraph (d)).

In favour:

China, Ethiopia, Lebanon, Pakistan, Russian Federation, Senegal, Sudan, Tunisia.

Against:

Bolivia, Chile, France, Germany, Romania, United States of America.

Abstaining:

Algeria, Colombia, Cuba, India, Turkey.

Statements in explanations of vote before the vote

28. Statements in explanations of vote before the vote were made by the representatives of Senegal, Lebanon, Chile, Germany, Bolivia, Pakistan, Colombia, France, the United States and Romania.

29. In their explanations of vote before the vote, the representatives of Senegal, Lebanon and Pakistan echoed the observation made by the delegate of the Sudan that the Committee had given enough time to the NGO to submit additional information on its disassociation with paedophilia. They were of the view that since no conclusive evidence had been presented to the Committee by the NGO supporting its disassociation with paedophilia, it was therefore not

possible for them to recommend consultative status. One delegate did not find the NGO's response regarding the Pink Triangle Press convincing since it had managed to rejoin the NGO after two years and since its Executive Director had mentioned that it was no longer necessary to sign the declaration against paedophilia. He also questioned the lack of unanimity within the NGO, as an umbrella organization, on its commitments to paedophilia and the age of consent. One delegation said that the representative of the NGO had been unable to satisfactorily answer questions, especially the one about how many members have been expelled from the organization because of paedophilia. He was also of the view that the NGO's representative was not able to adequately answer his question whether its Executive Board was given powers to expel the members found involved in and encouraging paedophilia. One delegate said that there was a clear congruence between homosexuality and paedophilia. Another delegate said that the NGO had been accused of paedophilia, which gave rise to a number of serious social issues, and in view of the traditional and cultural norms of his country he would vote in favour of the Sudan's proposal.

30. The delegations of Chile, Germany, Bolivia, France, the United States and Romania pointed out that the responses provided by the organization to the Committee were satisfactory. They would have liked to continue to explore the matter further until all doubts were removed on the NGO's views on paedophilia. They believed that additional time should be given to the NGO since some delegations had felt their questions were not sufficiently answered. One delegation stated that no proof had been presented that showed that the NGO currently maintained affiliations with any organizations that promoted paedophilia. It also noted that its representative had stated that all members were required to sign the pledge that they were not condoning paedophilia, and had done so. According to those delegations, since the NGO had been in consultative status with the Council of Europe it had been recognized to have developed useful activities in the area of HIV/AIDS and combating related discrimination. One delegation emphasized that no one should believe that views on the rights of homosexuals could not be discussed at the United Nations, and that the subject was not taboo in a world that was rich because it was diversified. He emphasized that homosexuality should not be confused with paedophilia, which was a crime. The rights of homosexuals were discussed in various United Nations organs and referred to in a number of United Nations instruments. One of the principles of the Charter of the Organization is to promote "the universal respect for, and observance of, human rights and fundamental freedoms". He also rejected the assumption that there was congruence between homosexuality and paedophilia.

31. The representative of Colombia stated that he needed greater evidence and more materials to take a decision, in the absence of which he had abstained.

Statements in explanations of vote after the vote

32. Statements in explanations of vote after the vote were made by the representatives of Algeria and India.

33. The representative of Algeria declared that the abstention of her delegation should not be interpreted as an encouragement to paedophilia. Her delegation strongly condemned paedophilia, the most abject crime against children, which should be combated by all legal means.

34. The delegation of India stated that his delegation always supported the ruling of the Chair.

General statements

35. The representatives of the Sudan, Algeria, India, the Russian Federation, Pakistan, Bolivia, Tunisia, Ethiopia and Turkey made general statements.

36. The applications of the following NGOs were deferred by the Committee pending further information to questions raised during its resumed 2001 session:

Alliance musulmane d'Angola

Amitié sans frontières internationales

Association mauritanienne pour le bien-être et le secours de l'enfant et de la mère

Comité international pour le respect et l'application de la Charte africaine des droits de l'homme et des peuples

United World Colleges International

Wales Assembly of Women

37. Due to time constraints, the Committee deferred the applications of the following NGOs:

A Women's Voice (International)

Africa for Christ International

Africa Infrastructures Foundation

African Community Resource Center

American Society of Safety Engineers

Antioch Christian Centre

Association marocaine de planification familiale

Association of American Railroads

Association of Expelled (Displaced-Exiled) Persons

Becket Fund for Religious Liberty

Canada Family Action Coalition

Canadian Race Relations Foundation

Caribbean Association for Feminist Research and Action

Centre féminin pour la promotion du développement

Citizens' Rights Protection Society

Community of Sant'Egidio

Confederation of European Forest Owners

Drug Watch International

E-Quality

European Association of Automotive Suppliers

Federation of Women Lawyers in Kenya

Hope for Africa

Human Rights Information and Documentation Systems International

Human Rights International Alliance

Indonesian National Council on Social Welfare

Institute for Global Environmental Strategies

International Center for Not-for-Profit Law

International Environmental Law Research Centre

International Federation of Inspection Agencies

International Federation of Medical Students Associations

International Planned Parenthood Federation (Europe Region)

International Possibilities Unlimited

International Prostitutes Collective

International Religious Liberty Association

Japan Civil Liberties Union

Jubilee Campaign

Kashmiri American Council

Kitakyushu Forum on Asian Women Foundation

Korea International Volunteer Organization

Kyrgyz Committee for Human Rights

Le Foyer musulman

Local Government International Bureau

Medico International

Millennium Institute

Motorcycle Riders Foundation

Mountain Women Development Organization

Mouvement international pour le loisir scientifique et technique

National Abortion Federation

National Association of Non-Governmental Organizations

National Coalition to abolish the Death Penalty

National Council of the Saemaul-Undong Movement

Non-Aligned Students and Youth Organization

Nonviolence International

Population Concern

Rainforest Foundation

Relief International

Russian Public Movement "For Civil Rights"

Swedish Organization of Disabled Persons International Aid Association

United Nations Watch

University of Missouri Kansas City Women's Council

Vishva Hindu Parishad — World Hindu Council

World Council for Psychotherapy

World Permanent Organization for the Jamahiriyan Youth

2. Requests for reclassification

38. At its 47th meeting, on 24 January, the Committee considered requests for reclassification deferred from previous sessions (see E/C.2/2001/CRP.7) concerning International PEN, the Armenian Relief Society and the International Association of Charities.

International PEN

39. The NGO was reclassified from the Roster to special consultative status (see sect. I, draft decision I, subparagraph (b)).

Armenian Relief Society

40. At its 2000 resumed session and 2001 regular session, the Committee decided to defer consideration of the request for reclassification of the NGO. At its 47th meeting, on 24 January 2002, the Committee considered the NGO's request for reclassification and decided to recommend that it remain on the Roster and not be reclassified to general status (see sect. I, draft decision I, subparagraph (c)).

International Association of Charities

41. The application of the NGO, which had been placed on the Roster by virtue of its consultative status with UNESCO, was deferred pending the outcome of the discussion in the informal working group, of the question of granting consultative status to non-governmental organizations placed on the Roster by virtue of their consultative status with other United Nations bodies of the specialized agencies.

42. At its 47th meeting, on 24 January, the Committee considered the NGO's application and requested additional financial information on it. The Committee decided to defer consideration of the request pending a response to questions posed by the Committee.

B. New applications for consultative status and new requests for reclassification

43. The Committee considered item 3 (b) (E/C.2/2001/R.2/Add. 6-11 and E/C.2/2001/R.3) at its 31st, 32nd, 36th, 41st to 43rd, 47th, 48th and 50th meetings, on 14, 16 and 21 to 25 January 2002.

1. New applications for consultative status

44. The Committee considered a number of new applications (see E/C.2/2001/Add.6-11) at its 31st, 32nd, 36th, 41st to 43rd and 50th meetings, on 14, 16, 21-23 and 25 January. The Committee recommended that the Council grant the following NGOs consultative status (see sect. I, draft decision I, subparagraph (a)):

Action aide aux familles démunies

Advisory Committee for the Protection of the Sea

Africa Legal Aid

American Mothers

Asian Institute of Transport Development

Asian Migrant Centre

Association d'assistance aux grands handicapés à domicile

Association guinéenne pour la réinsertion des toxicomanes

Association marocaine d'appui à la promotion de la petite entreprise

Association marocaine de solidarité et de développement

Association marocaine de soutien et d'aide aux handicapés mentaux

Association marocaine pour la promotion de la femme rurale

Association nigerienne des scouts de l'environnement

Association of Former United Nations Industry and Development Experts

Charitable Public Fund "Poligon — 29 August"

Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations

Coordination des ONG féminines gabonaises

Corporation for the Development of Women La Morada

Delta Sigma Theta Sorority

Exchange and Cooperation Centre for Latin America

Guild of Service

Human Resource Development Foundation

Indonesian Child Welfare Foundation

International Federation of Training and Development Organizations

Intersos Humanitarian Aid Organization

Isis Women's International Cross Cultural Exchange

National Assembly of Youth Organizations of the Republic of Azerbaijan

National Congress of American Indians

National Rehabilitation and Development Center

Native American Rights Fund

Observatoire national des droits de l'enfant

Oxfam International

Peace Boat

Public Service Association

Soap and Detergent Association

United States Committee for the United Nations Population Fund

Women's Political Watch

Education and Literacy Fund for Africa

45. At its 2001 session, the Committee had decided that the NGO, which had previously been registered under the name "In Honor of Mandela Fund", should submit a new application under the name "Education and Literacy Fund" and refrain from any mention of its previous name. At its 32nd meeting, on 14 January, several members of the Committee expressed the view that the activities of the NGO as well as its contribution to the Council remained unclear. They believed that it was in the process of establishing itself and its activities. The Committee decided to close the file without prejudice (see sect. I, draft decision I, subparagraph (e)), and invited the NGO to reapply in the future, when it would be able to report concrete activities and programmes. The Committee also decided that when the NGO submits its application in the future it should be considered as expeditiously as possible by the Committee.

46. The Committee decided to defer the applications of the following NGOs pending the receipt of further information in response to questions raised by the Committee at its 2001 resumed session:

African Center Foundation

International Multimodal Transport Association

Islamic-American Zakat Foundation

Minaret of Freedom Institute

47. Owing to time constraints, the Committee did not review the applications of the following NGOs:

American Conservative Union

Association internationale de lutte contre la pauvreté et pour le développement

Centre UNESCO de Catalunya

Commonwealth Human Rights Initiative

Coordinating Body for the Indigenous Organizations in the Amazon Basin

Ethiopian World Federation

International Centre for Peace and Studies[1]

National Association for the Advancement of Colored People

Netherlands Center for Indigenous People

Physicians for Social Responsibility

Pro Dignitate — Human Rights Foundation

Rethinking Tourism Project — Tides Center

Society of Automotive Engineers

Sovereign Military Order of the Temple of Jerusalem

UNESCO Centre Basque Country (UNESCO Etxea)

2. New requests for reclassifications

48. At its 47th and 48th meetings, on 24 January 2002, the Committee decided to reclassify three NGOs from special to general consultative status and three NGOs from the Roster to special consultative status (see sect. I, draft decision I, subparagraph (b)).

49. Owing to time constraints, the Committee did not review the requests for reclassification of the following NGOs, which were deferred to its 2002 regular session:

International Council on Mining and Metals

International Sociological Association

Movement for a Better World

Refugees International

Third World Institute

World Safety Organization

III. Review of the methods of work of the Committee: implementation of Council resolution 1996/31, including the process of accreditation of representatives of non-governmental organizations, and Council decision 1995/304

A. Process of accreditation of representatives of non-governmental organizations

Report of the informal working group established to review some aspects of the work of the Committee

50. The Committee considered item 4 (a) of its agenda at its 38th meeting, on 17 January 2002. It had before it for adoption a draft revised application form for NGOs requesting consultative status with the Council, as well as proposal for a new mechanism to improve the accreditation process of representatives of NGOs to United Nations meetings. At its 2000 session, the Committee had decided to establish an informal working group to review its methods of work, including accreditation issues, procedures, coordination with the secretariat of the Commission on Human Rights, enhancement of the NGOs information process and security issues. The members of the group are: Algeria, Bolivia, Chile, China, Colombia, Cuba, Ethiopia, France, India, Pakistan, Russian Federation, Sudan, Tunisia and United States of America.

1. Revision of the application form for consultative status

51. At its 38th meeting, on 17 January, the Facilitator of the group, Philipp Ackermann (Germany), introduced a draft revised application form for consultative status. He recalled that the old application form or questionnaire no longer entirely fulfilled the demands of Committee members, and also sometimes caused confusion on the part of the applying NGOs. In presenting the revised form, Dr. Ackermann underlined the valuable contribution of Mr. Battacharjee (India) and underlined the flexibility of the other members of the group, who had worked constructively throughout its various meetings. The questions of registration, addresses of NGOs, their national or international characters and their statements were addressed at the meetings of the group. The revised form is divided in four parts: part one deals with the substantive information of the applying NGO (aims, purposes, projects, intentions and contribution to the Council); part two covers technical matters, such as the registration and decision-making processes, as well as the composition of membership; part three contains a new table on the financial status of the applicant; and, part four requests a declaration on the part of the NGO that it would act in accordance with the Charter of the United Nations and the principles stipulated in Council resolution 1996/31.

52. Dr. Ackermann informed the Committee that the revised form will eventually be made available in the six languages of the United Nations. However, for the time being and until further notice, the Secretariat will continue to accept applications in English and French only.

53. The Chairman of the Committee thanked the Facilitator and the members of the group for their efforts and their important work, and above all for their flexibility to have agreed on a revised form in less than four months. After having taken into account a number of minor amendments proposed by some members of the Committee, the Committee adopted the revised application form.

2. Accreditation of representatives of non-governmental organizations to the Commission on Human Rights

54. At the same meeting, the Facilitator of the informal working group on the issue of accreditation of representatives of NGOs, Didier Le Bret (France), reported to the Committee on the work of the group on the outcome of its discussion on that issue.

55. Acting upon a request by the Committee at its 2001 regular session and pursuant to a declaration made by the Ambassador of Sri Lanka, who had deplored that, at the fifty-seventh session of the Commission on Human Rights, members of an NGO whose application for consultative status had not been recommended by the Committee had obtained accreditation from another NGO, distributing abusive materials against Sri Lanka, the group met to discuss whether a legal opinion on the issue should be sought and to identify appropriate mechanisms to prevent the participation of such representatives at the sessions of the Commission on Human Rights.

56. Having thanked the members of the group for working diligently and in a very constructive spirit on the issue, Mr. Le Bret referred to various mechanisms identified by the group, including the dissemination of a message, from the Chair of the Commission on Human Rights to NGOs, calling for the observance of established procedures on the relationship between NGOs in consultative status and the United Nations, to be brought to the attention of the NGOs concerned; a compilation, by the Office of Legal Affairs of the Secretariat, of existing rules and provisions on accreditation issues contained in United Nations documents; the strengthening of security provisions through the host country and concerned security agencies before delivering passes to NGO representatives; the continuation of the awareness activities organized by the NGO Section vis-à-vis the NGO community; the preparation of a letter, for the signature of the Chairman of the Committee addressed to the Chairman of the Commission on Human Rights, reminding NGOs in consultative status with the Council of their rights and responsibilities as stipulated in Council resolution 1996/31; and the preparation of three letters, for the signature of the Chairman of the Committee, addressed to Interfaith International, the Society of Threatened Peoples and Transnational Radical Party, to remind them of their rights and responsibilities as stipulated in Council resolution 1996/31. Mr. Le Bret noted that the mechanisms identified by the group were complementary to the mechanisms already identified in the meeting, held in 2001, between the Chair of the Commission on Human Rights, Leandro Despouy, and the Chair of the Committee, Levent Bilman.

57. At its 50th meeting, on 25 January 2002, the Committee decided to approve the report of the group on the accreditation of NGOs.

3. Cooperation of the Committee on Non-Governmental Organizations with the Commission on Human Rights

58. At its 43rd meeting, on 22 January 2002, the Committee heard a presentation and entered into a dialogue with the Chief of the Support Services Branch, Office of the United Nations High Commissioner for Human Rights, on the participation of NGOs in meetings of the Commission on Human Rights.

59. The interaction between the Commission and the Committee had greatly increased over the last years. The Chief recalled that the Bureau of the Commission had transmitted to the Chairman of the Committee several complaints by member States on the activities of NGOs at Commission sessions. In some cases, member States had lodged formal complaints to the Committee, special reports had been requested to the NGOs involved and measures had been taken. However, it was agreed that all efforts should be made to prevent violations by NGOs of the rules governing their participation at United Nations meetings in general, in keeping with resolution 1996/31, in particular at meetings of the Commission on Human Rights.

60. It was recalled that in view of the high number of NGOs participating in Commission sessions, which made meeting rooms sometimes too small to accommodate all representatives, a limit of six oral statements in plenary meetings had been decided. In addition, NGOs could only make available the text of their oral statement in the meeting room of the Commission. NGOs could also organize parallel meetings in other rooms, where they could distribute additional material. However, they had to inform the Secretariat in advance of the title of the meeting and of the guests they intended to invite. Those guests were issued a short-term pass for the time of the parallel

meeting. In order to facilitate access to information on NGO representatives and guests entering the United Nations premises, the secretariat of the Commission made available an updated list of all persons accredited at the Commission. Member States could consult that list on a daily basis.

61. In addition, the rules for the accreditation of NGO representatives at the Commission were strictly implemented. Letters of accreditation had to bear the letterhead of an NGO with consultative status and be signed by the authorized NGO representatives, whose names were entered in a database. Before delivering the pass, United Nations officers checked that those requirements were met. In case of problems regarding visas, the issue was referred to the authorities of the host country. Member States could always ask on which basis a representative had been accredited, and the secretariat should demonstrate that the appropriate procedure had been followed. However, the secretariat was not in a position to verify whether the signature of authorized representatives had been forged.

62. Several delegations stressed the need for NGOs to be fully aware of their responsibility for all representatives they accredit to Commission sessions. Accountability for all those who speak and act on their behalf was deemed an important principle that should be clearly explained to the NGO community. Various initiatives had been taken to get that message through and to brief NGOs on the rules they had to observe. The Bureau of the Commission held regular meetings with NGOs during the session. At the secretariat level, two NGO liaison officers would be appointed at the Office of the High Commissioner. In addition, a conference room paper on rules and practices followed by the Commission in the organization of its work, including the modalities of NGO contribution, had been prepared and included in the pre-sessional documentation.

63. Cooperation between the secretariats of the Commission on Human Rights and the Committee on NGOs was crucial for providing well-targeted information to the NGO community. The systematic exchange of information, particularly on complaints and decisions not to recommend granting consultative status, had become an established practice that needed to be maintained. Guidelines on the rights and obligations of NGOs, prepared by the Non-Governmental Organizations Section in collaboration with the Office of the High Commissioner, were deemed a valuable tool, which should be widely disseminated through the respective channels of communication of both Secretariat's entities, including web sites.

64. At the intergovernmental level, a meeting of the Chairmen of the two bodies was held in New York in November 2001. All complaints originating from the Commission on Human Rights were reviewed at the meeting, and the possibility of organizing a videoconference between the two bureaux was discussed. That increased interaction was also encouraged by the informal working group of the Committee, which had prepared a draft letter for the signature of the Chairman of the Committee addressed to the Chairman of the Commission on Human Rights on accreditation of NGOs to Commission sessions. Those various initiatives were important steps towards agreeable solutions to those problems. It was considered that the dialogue between the Committee and the Chief of the Support Services Branch of the Office of the High Commissioner had also greatly contributed to that goal.

B. Consideration of organizations whose defining characteristics are not in strict conformity with the provisions of Council resolution 1996/31

65. Due to time constraints, the Committee did not consider sub-item 4 (b) of its agenda.

66. It has been decided by the Bureau, however, to include in the report the following information. At its 1999 session, the Committee considered for the first time the issue of NGOs whose defining characteristics are not in strict conformity with Council resolution 1996/31, namely, commercial/industrial, professional, religious, research/educational, or government-funded organizations. Several members of the Committee suggested that a precedent had already been set by granting status to those types of organizations in the past. One member of the Committee suggested that the granting of consultative status to industry or commercial-based NGOs might cause a further imbalance between the number of NGOs granted consultative status from the North to those granted consultative status from the South, as industry/commercial NGOs are not only well-financed but based primarily in the North. A debate ensued on the definition of NGOs within the parameters of Council resolution 1996/31, with some members of the Committee suggesting that any organization without government ties could be considered an NGO. Others objected to that

broad definition. It was agreed that the topic should be reconsidered in future consultations. The Committee resumed consideration on this issue at its 2000 resumed session.

67. At its 2001 regular session, the Chairman of the Committee had suggested that the Committee take action on the applications that have been placed in that category for a considerable time. He referred to articles 1, 3 and 8 of Council resolution 1996/31, which stipulated that the NGO should be concerned with matters falling within the competence of the Council and its subsidiary bodies, that it should undertake to support the work of the United Nations and to promote knowledge of its principles and activities, in accordance with its own aims and purposes and the nature and scope of its competence and activities, and that it should be admitted provided that it could demonstrate that its programme of work is of direct relevance to the aims and purposes of the United Nations. He expressed the view that those criteria should constitute a solid base for the reflection in the Committee's debate on those issues.

68. At the same session, the Committee had agreed to add the issue of NGOs whose defining characteristics are not in strict conformity with the provisions of Council resolution 1996/31 on the agenda of its informal working group. However, the group had not yet reviewed the issue.

69. Owing to time constraints, the Committee did not review under this item the applications of the following NGOs:

German Advisory Council on Global Change
Confederation of German Forests Owners Associations
Syrian Orthodox Church in America
Southern States Police Benevolent Association
Working Party "Brussels 1952"

C. Strengthening of the Non-Governmental Organizations Section of the United Nations Secretariat

70. The Committee considered item 4 (c) at its 50th meeting, on 25 January.

71. Reporting to the Committee on the work of the Non-Governmental Organizations Section, the Chief of the Section stated that in one year the Section had provided accreditation for more than 25 conferences and special events, processing thousands of NGOs, and that the 2,100 NGOs in consultative status with the Council meant that some 14,700 representatives had to be accredited every year. She added that that level of servicing and support was unprecedented in the United Nations record, while she remained very grateful for the support of the members of the Committee for the regularization and establishment for the 2002-2003 biennium of one P-4 and one General Service post. She expressed disappointment, however, with the decision of the Fifth Committee not to approve the upward reclassification of the post requested by the Secretary-General in the proposed budget for the biennium 2002-2003 (see A/C.5/56/L.29). While it was understood that that decision was taken Secretariat-wide, it did have a particular impact on the work of the NGO Section, not only at the structural and hierarchical level but also at the substantive level since the established staffing table of the NGO Section for 2002 includes six Professional posts (one D-1, three P-4, one P-3 and one P-2) and five General Service posts. The Chief also stated that over the past two years, several policy and research papers on substantive issues requested by the Committee as a basis for discussion of its methods of work would benefit from the assistance of a senior NGO officer at the P-5 level. That senior NGO officer would be able to take on all those additional responsibilities needed for the good functioning of the Section, including the review and harmonization of accreditation with the organs, funds and programmes and specialized agencies. It was hoped that that request could be presented again in the next revised budget.

72. She then introduced the NGO outreach programme and stated that following Council resolution 1996/31, confirming the need for a just, balanced, effective and genuine involvement of NGOs from all regions and areas of the world, the United Nations Informal Regional Network of NGOs was formally launched in April 2001 in Aracaju, Brazil. The report of the Secretary-General (A/54/520) had noted that the NGO Section would work to improve the exchange of information through informal networks of country or regionally based NGOs in consultative status with the Council, and to serve as links between the NGO Section and the NGOs in each region. The Network is intended to strengthen the capacity of NGOs to contribute to economic and social development by broadening their access to information and communications, and building their capacities to participate in operational activities as well as policy formulation. The priority accorded by the international community to addressing its special development needs

made Africa the logical first choice for the inauguration of Network activities. The first regional meeting was held in Hammmet, Tunisia, from 8 to 11 January 2002, on the theme "Capacity-building for the Informal NGO Regional Network in Africa". Fifteen African NGOs from the five African subregions and a number of Tunisian NGOs met with United Nations officials and other partners to develop the Network. She added that the Network, which needed strengthening, did require additional time and effort, while the Section had benefited from the assistance of an interregional adviser from the Department of Economic and Social Affairs to organize the meeting in Tunisia. It was hoped that that assistance could be extended to strengthen the Network in order for it to become operational, to support the subregional and regional NGO coordinators and to launch the Network in other regions.

73. Following the statement of the Chief of the Section, statements were made by the representatives of Algeria, China, Cuba, Ethiopia, France, Germany, India, Lebanon, Romania, Pakistan, the Russian Federation, Tunisia, Turkey, Senegal, Sudan and the United States of America.

74. They reaffirmed their full support for the NGO Section. They strongly welcomed the establishment of the Network. They underlined that it was an important initiative that would broaden immensely NGO access to information and communications as well as enhance the building of their capacities to participate in operational activities as well as policy information. In addition, a number of delegations also underlined that it was regrettable that the Fifth Committee had not followed up on the recommendation made by the NGO Committee three years ago to reclassify a P-4 post to the P-5 level in order to strengthen the Section in its new responsibilities. One delegation declared that, given the responsibilities and tasks carried out by the NGO Section, it needed a senior officer that the Section had not yet obtained. It was obvious that the Section needed additional strengthening, which should be the object of a resolution that the Committee should bring up at its next session.

IV. Review of quadrennial reports submitted by non-governmental organizations in general and special consultative status with the Council

75. The Committee considered agenda item 6 at its 36th to 38th, 48th and 50th meetings, on 16, 17, 24 and 25 January 2002. The Committee had before it a memorandum by the Secretary-General containing a compilation of quadrennial reports, submitted by NGOs in general and special consultative status with the Council, on their activities during the period 1996-1999, which had been deferred from the 2001 regular session of the Committee (E/C.2/2001/CRP.6).

76. The Committee took note of 17 quadrennial reports and deferred consideration of another 39, pending responses from the organizations to questions posed by the Committee.

77. The Committee took note of the quadrennial reports of the following 17 NGOs:

American Association of Jurists
Association for the Prevention of Torture
Association of Third World Studies
Association de Volontaires pour le Service Internationale
Baptist World Alliance
Federation of European Motorcyclist's Associations
Inter-American Federation of Touring and Automobile Clubs
International Association of Penal Law
International Commission on Irrigation and Drainage
International Driving Tests Committee
International Federation of Action of Christians for the Abolition of Torture
International Institute of Higher Studies in Criminal Sciences
International Society for Traumatic Stress Studies
Mahila Dakshata Samiti
United Towns Agency for North-South Cooperation
World Confederation of Labour
World's Women's Christian Temperance Union

Inter-American Federation of Touring and Automobile Clubs

International Driving Tests Committee

International Commission on Irrigation and Drainage

78. In taking note of the quadrennial reports of these three NGOs, the Committee encouraged them to carry their expertise directly to the United Nations forum through more active participation in United Nations meetings and activities so that the Organization might benefit from their specialized input. Two other NGOs were notified that although the Committee had decided to consider their reports, future quadrennial reports should provide more precise and detailed descriptions of their activities. Moreover, the Committee requested the Secretariat to revise the guidelines on quadrennial reports sent to NGOs, underlining that they should reflect in their reports any amendments to their constitutions. The Secretariat was also asked to draw the attention to the possibility of requesting reclassification to the Roster for NGOs that found it difficult to comply with the quadrennial reporting requirements of the general and special categories. Such reclassification, it was suggested, might be particularly suitable for NGOs that suffer from disruptions in their record-keeping, such as frequent changes of headquarters.

79. Owing to time constraints, consideration of the quadrennial reports of the following 39 NGOs were deferred:

African Society of International and Comparative Law
Arab Organization for Human Rights
Association of Arab-American University Graduates
Christian Democratic International
Commission for the Defense of Human Rights in Central America
Earthjustice Legal Defense Fund
Equality Now
France Libertés: Fondation Danielle Mitterrand
Friends World Committee for Consultation
International Association for Religious Freedom
International Association of Jewish Lawyers and Jurists
International Commission of Jurists
International Council for Research and Innovation in Building and Construction
International Electrotechnical Commission
International Federation of Building and Wood Workers
International Federation of Human Rights Leagues
International Motor Vehicle Inspection Committee
International Rehabilitation Council for Torture Victims
Lutheran World Federation
Medecins sans frontières (International)
Muslim World League
National Bar Association
National Wildlife Federation
Pax Christi International
Physicians for Human Rights
Qatar Charitable Society
Resources for the Future
Robert F. Kennedy Memorial
Simon Wiesenthal Center
Society For Threatened Peoples
Transnational Radical Party
Union Internationale Des Avocats
Union of Ibero-American Capital Cities
Women, Law and Development International
Women's International Zionist Organization
World Alliance of Young Men's Christian Associations
World Evangelical Fellowship
World Safety Organization
World Society of Victimology

France Libertés: Fondation Danielle Mitterrand

80. At its 37th meeting, on 17 January, the Committee examined the response submitted by the NGO to questions posed by the Committee at its 2001 regular session. The representative of China considered that the allegations contained in the response regarding China's relationship with Tibet were unfounded. Tibet was indisputably part of China. The delegation requested that the NGO submit a special report on the subject of China's sovereignty over Tibet to correct its statement put forward in its response. On the same matter, the representative of France underlined that the NGO was a prestigious one, with a long-standing reputation. However, he noted that the representative of China had raised legitimate questions on an issue of particular interest to China and the NGO should have

the opportunity to respond. The Committee decided to defer consideration of the quadrennial report pending the receipt of a special report from the NGO. It also requested the Secretariat to look into whether or not there were precedents for a special report being requested following the consideration of the quadrennial report of an NGO.

V. Consideration of special reports

81. The Committee considered agenda item 7 at its 39th, 40th and 48th meetings, on 18 and 24 January 2002. It had before it documents E/C.2/2001/3 and Add.1 and 2.

A. Consideration of special reports

Freedom House

82. At its 2001 regular session, the Committee had before it a special report by the NGO on the role and activities undertaken by it in Cuba and clarifications to questions posed by Committee members at its 2000 resumed session (E/C.2/2001/3). Upon request by a delegation, the Committee had decided to request the NGO to submit a detailed special report at its 2001 resumed session about its activities carried out in relation to Cuba, particularly its activities inside the country, including those of persons who have been sent by it to Cuba; the report was also to include the criteria followed by the NGO to designate and accredit its representatives to the meetings of the subsidiary bodies of the Council.

83. At its 39th and 40th sessions, on 18 January 2002, the Committee had before it the additional special report submitted by the NGO (E/C.2/2001/3/Add.1), as well as written answers by the NGO to questions posed by Committee members. The representative of Cuba made the following statement:

> "It will be recalled that the case of Freedom House has been under consideration for several sessions in the Committee, following complaints by several members about the blatant and repeated violations of Council resolution 1996/31 by this so-called non-governmental organization.
>
> "During the regular session in 2000, the delegation of Cuba complained to this Committee about the accreditation as a member of the Freedom House delegation at the fifty-sixth session of the Commission on Human Rights of a representative of the so-called Universidad Latinoamericana de la Libertad Friedrich Hayek, whose request for consultative status had been rejected by this Committee barely two months earlier when proof was established of its ties to terrorist organizations.
>
> "At the following session of the Committee in 2001, Cuba again complained to it, denouncing the serious violations committed by the organization during the fifty-seventh session of the Commission on Human Rights. On that occasion, Freedom House accredited as its representatives to the Commission individuals of Cuban origin belonging to terrorist organizations based in Miami, together with three citizens of countries of Eastern Europe, who travelled to Cuba to foment disorder and to organize groups that engaged in activities against the Government.
>
> "In addition, the organization circulated documents without attribution and material of a political nature and content that was libellous and disrespectful to Heads of State and Government of Member States, including documents produced by terrorist organizations of Cuban origin that do not have consultative status with the Council.
>
> "It should be recalled that this Committee's concerns, doubts and objections about this organization did not begin at its recent sessions. Questioning of the character and activities of Freedom House was clearly indicated from the very moment when it considered the request by Freedom House for consultative status in 1995, when the Committee took the reasoned and objective decision not to approve the request.
>
> "Unfortunately, that decision was later rescinded by a vote of the Council following intense pressure that was publicly and blatantly exerted by the United States Government.
>
> "This situation, however, came as no surprise, since we all know that Freedom House operates as yet another agency of that Government, pursues its political objectives and interests, and depends on it for financing.

"As part of the most recent 'Cuba Programme' established by the United States Government under section 109 of the Helms-Burton Act, between 1996 and 2000 the United States Agency for International Development (USAID) spent $10 million on its 22 projects designed to destabilize our country through the creation, organization and financing of internal subversive groups. In 2001 it committed an additional $5 million.

"Among the various activities which USAID finances as part of this 'Cuba Programme' is the money it allocates to Freedom House, which was $500,000 in 1997, and by 2001 amounted to $825,000.

"This so-called non-governmental organization also has close and demonstrated ties to the United States special services, in particular, the Central Intelligence Agency, under whose direction it carries out missions to destabilize legitimately constituted governments, spread libellous propaganda against sovereign States and engage in subversion and clandestine activities in several countries.

"We will not attempt to repeat here all the details of the politically motivated activities of Freedom House against Cuba and other States Members of the United Nations. My delegation has already advanced sufficient arguments to this Committee to prove the aggressive and politically motivated action contrary to the purposes and principles of the Charter that this organization has historically carried out against my country, with the aim of subverting the internal order and overthrowing the Government that has been legitimately and constitutionally established by the people of Cuba.

"Freedom House seeks to project an image of a non-governmental organization that promotes democratic values, thereby attempting without success to conceal what it truly is, namely, a powerful machine for subversion that is more akin to an intelligence service than to a non-governmental organization.

"Cuba values, respects and strongly supports the serious and constructive work of non-governmental organizations. We cannot continue to allow the important and commendable work of non-governmental organizations, their invaluable contribution and constructive participation in and influence on the framework of the United Nations system to be tarnished by the repugnant actions of a tiny minority of organizations, like Freedom House, that are an embarrassment to the community of non-governmental organizations which genuinely respects established norms.

"To be granted consultative status with the Council constitutes without doubt a recognition of the work of non-governmental organizations. At the same time, however, it involves a commitment and organizations have an obligation to honour this commitment by strictly observing the norms and regulations governing this consultative relationship.

"Freedom House has not only ignored this commitment, but has acted with total disregard for the established norms. For that reason, questions have been raised about it repeatedly in this Committee.

"My delegation has carefully studied the document containing the organization's replies to the questions put to it by several delegations at the previous session. In all candour, I must express our dissatisfaction with the replies received, which in many cases are completely evasive, while in other cases the organization simply does not reply to what was asked. In addition, the organization's statements in this document, far from dispelling our concerns, give rise to new doubts which require us to raise new questions. My delegation will submit our questions in writing to the Secretariat so that it can send them to the organization for a reply in writing.

"Moreover, bearing in mind the seriousness of the case and the fact that the special report requested from the organization was circulated only a few days ago, my delegation is asking for more time to study this document. Having completed a preliminary reading, we can state that the document submitted by the organization does not comply with the Committee's request. The organization was to have submitted a special, detailed report on its activities concerning Cuba. The report before us is scanty, evasive and

disrespectful, but I repeat, we need additional time to consider it thoroughly.

"In conclusion, I request that the text of my statement be reproduced in full in the report of the Committee."

84. The representative of China stated that the position of the NGO with regard to Taiwan Province of China was unacceptable, because it recognized Taiwan Province of China as an autonomous entity and denied the principle of "one China in the world" enshrined in relevant General Assembly resolutions. By so doing, Freedom House, in spite of its consultative status with the Council, had violated United Nations rules as well as the spirit of United Nations resolutions.

85. The representative of the Sudan stated that, following the NGO's stated willingness two years ago to engage in a dialogue with her delegation, the NGO had finally decided to meet representatives of the Sudan in New York. However, the representative expressed her disagreement with the approach of the NGO to human rights. She stated that it tended to make value judgements and thus lacked objectivity in dealing with issues of human rights. She added that her country would not have questioned such activities of the NGO had it been objective, constructive, sensible and realistic in its approach to her country. The NGO had never contacted the respective embassies, nor had it visited the country to verify its information. She said that it ignored the real situation in her country and portrayed its people as if they knew and practised nothing except violations and abuses. She further indicated that her delegation was aware of the political realities that dictated an extremist approach by the NGO, the result of which was the distorted analysis developed by it on Sudan issues. It had referred to genocide in the Sudan that only existed in its imagination. The representative also deplored that, on its web site, a reference was made that connected the Sudan with the 11 September terrorist attacks. She indicated that her delegation would continue to raise questions on the activities of the NGO, whenever necessary.

86. The representative of the United States stressed that the activities of Freedom House were fully consistent with the spirit and the work of the United Nations. Disagreements with the positions of the organization should not prevent it from speaking out about human rights in relevant United Nations forums. He reiterated the fact that Freedom House was totally independent of United States Government direction and also stated that he was satisfied with the special report of Freedom House.

87. The representative of the Islamic Republic of Iran, seconded by several delegations, expressed its disagreement with a recent study by Freedom House, a summary of which was available on its web site, which asserted an expanding gap in the levels of freedom and democracy between Islamic countries and the rest of the world. Its Chairman was quoted on the web site, calling the attention of policy makers to this matter in the wake of the terrorist attacks against the United States on 11 September.

88. A number of delegations expressed their satisfaction with the special report submitted by the NGO, which they deemed comprehensive.

89. The Committee engaged in a dialogue with a representative of the NGO on these various issues. The representative stated that the NGO was a broadly based and non-partisan organization. In relation to Cuba, it only sought to engage in people-to-people contacts on human rights and democracy issues, and had no association with terrorist organizations. He denied the nature of the links alleged by Cuba between the NGO and some Cuban-American groups, although it could not investigate the full backgrounds of all its associates. Responding to the observations of China, he stressed that the organization had great respect for the sovereignty of States and was neutral on the issue of Taiwan Province of China as a State. The fact that Taiwan Province of China was listed in its reports did not entail any position on the status of Taiwan Province of China as a political entity. With reference to the comments made by the Sudan, the representative stated that the NGO had been represented at a meeting with the Minister for Foreign Affairs of that country and hoped that it would help to improve the situation in the south of the country. Furthermore, the NGO was concerned with the sufferings of all Sudanese people and did not support any one side in the political conflict. In relation to the observations by the Islamic Republic of Iran, the report published by the NGO intended to show the possibility to move forward on democratization and respect for human rights in Muslim countries. There was no intention from the NGO to enter into an inter-civilization clash.

90. The delegations of China, Cuba and the Sudan announced that they would pose additional questions, in writing, to Freedom House on different aspects of its work and on its recent positions. At its 48th meeting, on 24 January, the Committee decided to defer consideration of the matter, pending response by the NGO to questions posed by Committee members.

International Association of Democratic Lawyers

International Federation of Human Rights Leagues

Movement against Racism and for Friendship among Peoples

New Human Rights

Women's Human Rights International Association

91. At its 39th and 40th meetings, on 18 January 2002, the Committee reviewed the special reports submitted by the five above-mentioned human rights NGOs following a complaint by the delegation of the Islamic Republic of Iran at the previous Committee session. The complaint related to the accreditation by the NGOs of members of the Modjahedin Khalgh Organization/National Council of Resistance (MKO/NCR), a movement deemed a terrorist one by the Islamic Republic of Iran, to take part in the fifty-seventh session of the Commission on Human Rights.

92. The representative of the Islamic Republic of Iran stated that the complaint against the International Association of Democratic Lawyers had been dropped in view of the apology made by the NGO; he thanked the NGO for its understanding (see Sect. I, draft decision I, subparagraph (f)). As for the International Federation of Human Rights Leagues and the Women's Human Rights International Association, he asked for more time to consult his capital and obtain instructions. The representative stated his disagreement with the special reports presented by the Movement against Racism and for Friendship among Peoples and New Human Rights, in which they justified the accreditation of their representatives to the Commission on Human Rights. He fully recognized the right of NGOs to express criticisms on the situation regarding human rights in various countries. However, that did not entail NGOs to accredit members of terrorist groups. The representative further requested new special reports from those two NGOs. He circulated additional information on the participation of MKO/NCR members at the fifth-seventh session of the Commission on Human Rights and at the Third Committee of the General Assembly, upon which those new special reports should be based. He further said that those NGOs should clearly state that they would not accredit members of terrorist organizations at United Nations meetings in future.

93. The representative of France stressed the need to find agreeable solutions to the issue of accreditation of NGO representatives to the Commission on Human Rights, including of individuals who wished to speak as witnesses on human rights issues, while seriously considering alleged cases of terrorism. Several delegations expressed their support for a balanced position, which should be further elaborated by Committee members.

94. At its 48th meeting, on 24 January, the Committee took note of the fact that the consideration of special reports by the Women's Human Rights International Association and the International Federation of Human Rights Leagues was pending. The Committee also decided to request New Human Rights and the Movement against Racism and for Friendship among Peoples to submit additional special reports to it at its next session.

B. Complaints submitted by States

France Libertés: Fondation Danielle Mitterrand

95. At its 38th meeting, on 17 January, the Committee had before it a quadrennial report by the NGO, as well as answers provided by the NGO to questions raised by Committee members. The representative of China said that those documents were shocking because they denied the fact that Tibet was a part of China. He further stated that those positions infringed on the sovereignty of his country and violated the provisions of Council resolution 1996/31 on the consultative relationship between NGOs and the United Nations. The representative of France stressed the good reputation and numerous positive activities carried out by the NGO. Upon request by the delegate of China, the Committee requested the NGO to submit a special

report on its position regarding China's sovereignty over Tibet.

VI. Implementation of Council resolution 1995/32

96. The Committee considered agenda item 8 at its 49th meeting, on 25 January. In accordance with Council resolution 1995/32, applications from the following organizations of indigenous people not in consultative status with the Council, interested in participating in the open-ended intersessional Working Group of the Commission on Human Rights, were before the Committee:

United Native Nations
Indigenous Peoples and Nations Coalition
Chickaloon Village Traditional Council

97. The issue had been referred to the attention of the secretariat of the Commission on Human Rights in Geneva regarding the new procedure established and a response remained pending. On the proposal of the Chairman, the Committee requested the Secretariat to prepare a background note on the matter.

VII. Organization of the work of the session

A. Opening and duration of the session

98. The Committee held its resumed 2001 session from 14 to 25 January 2002. The Committee held 20 meetings (31st to 50th).

B. Attendance

99. Representatives of all the States members of the Committee attended the session: Algeria, Bolivia, Chile, China, Colombia, Cuba, Ethiopia, France, Germany, India, Lebanon, Pakistan, Romania, Russian Federation, Senegal, Sudan, Tunisia, Turkey, United States of America.

100. The following States Members of the United Nations were represented by observers: Armenia, Azerbaijan, Canada, Cyprus, Democratic People's Republic of Korea, Egypt, El Salvador, Finland, Georgia, Guatemala, Hungary, Indonesia, Islamic Republic of Iran, Iraq, Israel, Japan, Kazakhstan, Netherlands, Philippines, Portugal, Republic of Korea, Suriname, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, Uruguay.

101. The following specialized agencies were represented: United Nations Educational, Scientific and Cultural Organization, World Health Organization.

C. Election of officers

102. At its 31st meeting, on 14 January, the Committee elected Orlando Requeijo Gual (Cuba) as Vice-Chairman to replace Mercedes de Armas Garcia (Cuba) for the unexpired term, that is, to the end of the 2001 session of the Committee.

D. Agenda

103. At the 31st meeting, on 14 January, the Committee added a new item, "Implementation of Economic and Social Council resolution 1995/32", to the agenda for its 2001 session. The revised agenda read as follows:

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Applications for consultative status and requests for reclassification received from non-governmental organizations:
   (a) Applications for consultative status and requests for reclassification deferred from the previous session of the Committee;
   (b) New applications for consultative status and new requests for reclassification.
4. Review of the methods of work of the Committee: implementation of Economic and Social Council resolution 1996/31, including the process of accreditation of representatives of non-governmental organizations, and Council decision 1995/304:

(a) Process of accreditation of representatives of non-governmental organizations;

(b) Consideration of organizations whose defining characteristics are not in strict conformity with the provisions of Economic and Social Council resolution 1996/31;

(c) Strengthening of the Non-Governmental Organizations Section of the Secretariat;

(d) Other related matters.

5. Implementation of Economic and Social Council decision 1996/302.

6. Review of quadrennial reports submitted by non-governmental organizations in general and special consultative status with the Economic and Social Council.

7. Consideration of special reports.

8. Implementation of Economic and Social Council resolution 1995/32.

9. Provisional agenda and documentation for the 2002 session of the Committee.

10. Adoption of the report of the Committee.

104. At the same meeting, the Committee approved the organization of work for the session in an informal paper.

Notes

[1] The representative of India regretted that the Committee was not able to review the NGO's application.

E. Documentation

105. The list of documents before the Committee is contained in the annex.

VIII. Adoption of the report of the Committee on its 2001 resumed session

106. At its 50th meeting, on 25 January 2002, the Committee adopted the draft report as contained in document E/C.2/2001/L.3 and in an informal paper, and authorized the Rapporteur to finalize the report, in consultation with the members of the Committee and its secretariat.

Annex

List of documents before the Committee at its resumed 2001 session

Symbol	*Agenda item*	*Title or description*
E/C.2/2001/1	2	Annotated provisional agenda
E/C.2/2001/3 and Add.1 and Add.2	7	Note by the Secretary-General containing special reports
E/C.2/2001/R.2 and Add.6-11	3 (b)	Memorandum by the Secretary-General containing new applications for consultative status
E/C.2/2001/R.3	3 (b)	Memorandum by the Secretary-General containing requests for reclassification
E/C.2/2001/CRP.5	3 (a)	Applications received from non-governmental organizations for consultative status with the Council deferred from previous sessions of the Committee held in 1998, 1999, 2000 and 2001
E/C.2/2001/CRP.6	6	Compilation of quadrennial reports submitted by non-governmental organizations in general and special consultative status with the Council deferred from previous sessions of the Committee held in 1999, 2000 and 2001
E/C.2/2001/CRP.7	3 (a)	Requests for reclassification deferred from previous sessions
E/C.2/2001/CRP.8	2	Compilation of non-governmental organizations whose defining characteristics are not in strict conformity with the provisions of Council resolution 1996/31
E/C.2/2001/L.3	9	Draft report